



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,099	12/20/2001	Deborah L. Barclay	LUC-311/Barclay 4-3-2	9731
47382	7590	09/22/2005	EXAMINER	
PATTI & BRILL, LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			ADDY, ANTHONY S	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,099

Applicant(s)

BARCLAY ET AL.

Examiner

Anthony S. Addy

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 22, 2005 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 11-20 are rejected under 35 U.S.C. 102(e) as being anticipated by **Sheha et al., U.S. Publication Number 2003/0016804 A1 (hereinafter Sheha)**.

Regarding claim 11, Sheha discloses a communication system (see Fig. 2), a method comprising the steps of: providing a user with a selection of at least two location display options (see paragraph 0036, lines 1-5 [i.e. Sheha's teaching of a display unit on the destination telephone that can display the caller's name, telephone number,

address, and can provide a map illustration of **varying resolutions** configured by the user through the telephone network meets the feature of providing a user with a selection of at least two location display options]); based on the user's selection of location display options (see paragraph 0036, lines 1-5 [i.e. Sheha's teaching of providing a map illustration of **varying resolutions configured by the user** through the telephone network meets the feature of selecting location display options by the user]), determining location information for a calling party that places a telephone call to the user (see paragraph 0042, lines 1-6); providing the location information to the user for display to the user (see paragraph 0042, lines 1-6), said user and said calling party being parties to said telephone call (see paragraph 0037, lines 1-5 and paragraph 0038, lines 4-7).

Regarding claim 12, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a method, wherein at least two location display options provide at least two options for granularity of the location (see paragraph 0035, lines 18-28, paragraph 0042, lines 1-15, paragraph 0037, lines 1-10, paragraph 0038, lines 1-15 and Fig. 4; where a PC 23a or Smart TV 23b provides a user at destination telephone 5 with at least two display options).

Regarding claim 13, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a method, wherein the location information is displayed using common nomenclature (see paragraph 0035, lines 18-28 and paragraph 0042, lines 1-15).

Regarding claim 14, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a method, further comprising the step of processing the second location

Art Unit: 2681

to automatically provide information based on the location to the called party (see paragraph 0036, lines 1-14, paragraph 0042, lines 1-15, paragraph 0048, lines 13-22 and paragraph 0051, lines 1-19).

Regarding claim 15, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a computer-readable signal-bearing medium comprising computer readable program code that performs the steps of claim 11 (see paragraph 0035, lines 10-15 and paragraph 0039, lines 4-12).

Regarding claim 16, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a method, further comprising the step of at least one of the called party and the calling party querying for a location of the other party (see paragraph 0041, line 1 through paragraph 0042, line 15).

Regarding claim 17, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a method, further comprising the step of sending a party's location information only when the party has given permission (see paragraph 0046, lines 1-10).

Regarding claim 18, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a method, further comprising the step of, when the calling party has at least one of restricted location information and failed to permit sending location, inhibiting sending of location information to the called party (see paragraph 0046, lines 1-10).

Regarding claim 19, Sheha discloses all the limitations of claim 11. In addition, Sheha teaches a method, further comprising the step of providing the called party with

at least two options for formatting display of the location information (see paragraph 0035, lines 18-28, paragraph 0042, lines 1-15 and Figures 5 & 8).

Regarding claim 20, Sheha discloses all the limitations of claim 19. In addition, Sheha teaches a method, wherein at least two options for formatting include at least two of text, building map, street map, and city map (see paragraph 0036, lines 1-14, paragraph 0042, lines 1-18, paragraph 0048, lines 13-22 and Figures 5 & 8).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sheha et al., U.S. Publication Number 2003/0016804 A1 (hereinafter Sheha)** and further in view of **Dyer, U.S. Publication Number 2002/0173318 A1 (hereinafter Dyer)**.

Regarding claim 1, Sheha discloses a communications system (see Fig. 2), a method comprising the steps of: sending, to a called party at a first location (see paragraph 0044, lines 1-5 and Fig. 2; where a mobile device 18a is shown at a first location), a telephone call from a calling party having a second location (see paragraph 0044, lines 1-5 and Fig. 2; where a user placing a telephone call from a landline device 5, such as a standard telephone at a second location is shown); providing at least one of the first location to the calling party and the second location to the called party (see

Art Unit: 2681

paragraph 0047, lines 11-17 and paragraph 0048, lines 1-22), said first party and said second party being parties to said telephone call (see paragraph 0044, lines 1-5 and paragraph 0048, lines 17-22).

Sheha fails to explicitly teach selecting a granularity value from among a predetermined set of granularity values and responsive to the selected granularity, providing the location information having the selected granularity.

Dyer teaches a method by which to control the granularity at which positional indicia associated with a mobile station is permitted to be accessed by a content provider, wherein a profile database created by a user of a mobile station, includes data defining the identity of correspondent nodes and the levels of granularity permitted of the access to positional indicia (see paragraph 0016, lines 1-5 and paragraph 0033, lines 1-6). According to Dyer, when a correspondent node, such as a content provider request access to positional indicia associated with a mobile station, a granularity selector accesses data contained at the profile database and responsive to the level of granularity associated with the identity of the content provider, or other correspondent node, requesting the positional indicia of the mobile station, the granularity selector selects the level of granularity at which the positional indicia is permitted to be accessed and provided to the requesting device (see paragraph 0035, line 1 through paragraph 0037, line 7). Dyer further teaches the level of granularity defines the level of precision by which the positional indicia is provided to a requester and the granularity can correspond, in one extreme, to the precision of the positional indicia as provided by the position detection mechanism of the communication system, thereby to permit

Art Unit: 2681

positioning of the mobile station to the greatest extent possible (see paragraph 0040, lines 1-7).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Dyer, to the method of Sheha, to include selecting a granularity value from among a predetermined set of granularity values and responsive to the selected granularity, providing the location information having the selected granularity, in order to present with a high precision, location information provided by the position detection mechanism of the communication system and to thereby permit positioning of the mobile station to the greatest possible extent as taught by Dyer (see paragraph 0040, lines 1-7).

Regarding claim 2, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a method, further comprising the step of providing the called party with at least two options for granularity of the location (see paragraph 0035, lines 18-28 and paragraph 0042, lines 1-15).

Regarding claim 3, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a method, wherein the second location is displayed to said called party using non-geodetic nomenclature (see paragraph 0035, lines 18-28 and paragraph 0042, lines 1-15).

Regarding claim 4, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a method, further comprising the step of processing the second location to automatically provide information based on the second location to

the called party (see paragraph 0036, lines 1-14, paragraph 0042, lines 1-15, paragraph 0048, lines 13-22 and paragraph 0051, lines 1-19).

Regarding claim 5, Sheha in view of Dyer teaches all the limitations of claim 4. In addition, Sheha teaches a method, wherein the information based on the second location is at least one of a map illustrating the second location and directions from the second location to the called party (see paragraph 0036, lines 1-14, paragraph 0042, lines 1-18, paragraph 0048, lines 13-22 and paragraph 0051, lines 1-19).

Regarding claim 6, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a method, further comprising the step of at least one of the called party and the calling party querying for a location of the other party (see paragraph 0041, line 1 through paragraph 0042, line 15).

Regarding claim 7, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a method, further comprising the step of sending a party's location information only when the party has given permission (see paragraph 0046, lines 1-10).

Regarding claim 8, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a method, further comprising the step of, when the calling party has at least one of restricted location information and failed to permit sending location, inhibiting sending of location information to the called party (see paragraph 0046, lines 1-10).

Regarding claim 9, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a method, further comprising the step of providing the called

party with at least two options for formatting display of the location (see paragraph 0035, lines 18-28, paragraph 0042, lines 1-15 and Figures 5 & 8).

Regarding claim 10, Sheha in view of Dyer teaches all the limitations of claim 1. In addition, Sheha teaches a computer-readable signal-bearing medium comprising computer readable program code that performs the steps of claim 1 (see paragraph 0035, lines 10-15 and paragraph 0039, lines 4-12).

Regarding claim 22, Sheha teaches a communications system having at least one switching system (see paragraph 0035, lines 1-9 and Figures 2 & 3; where telephone network 2 (Fig. 2) and wireless network 22 (Fig. 3) meets the limitation for a switching system, since the telephone and wireless networks provides a connectivity between a calling and called party during a telephone call), a method comprising the steps of: placing a telephone call through at least one switching system from a first telephone that is located at a second geographic location (see paragraph 0035, lines 1-9, paragraph 0037, lines 1-5 and Fig. 2; where advanced telephone 8 at a second geographic location places a telephone call through telephone network 2 having switching capabilities is shown), to a second telephone that is located at a first geographic location (see paragraph 0035, lines 1-9, paragraph 0037, lines 1-5 and Fig. 2; where standard telephone 5 at a first geographic location receives a telephone call from advanced telephone 8 at a second geographic location through telephone network 2 having switching capabilities is shown); and sending data from a switching system to the first telephone that identifies the first geographic location and which can be

displayed on the first telephone (see paragraph 0036, lines 1-14, paragraph 0038, lines 1-15 and paragraph 0042, lines 1-15).

Sheha fails to explicitly teach selecting a granularity value from among a predetermined set of granularity values and responsive to the selected granularity, providing the location information having the selected granularity.

Dyer teaches a method by which to control the granularity at which positional indicia associated with a mobile station is permitted to be accessed by a content provider, wherein a profile database created by a user of a mobile station, includes data defining the identity of correspondent nodes and the levels of granularity permitted of the access to positional indicia (see paragraph 0016, lines 1-5 and paragraph 0033, lines 1-6). According to Dyer, when a correspondent node, such as a content provider request access to positional indicia associated with a mobile station, a granularity selector accesses data contained at the profile database and responsive to the level of granularity associated with the identity of the content provider, or other correspondent node, requesting the positional indicia of the mobile station, the granularity selector selects the level of granularity at which the positional indicia is permitted to be accessed and provided to the requesting device (see paragraph 0035, line 1 through paragraph 0037, line 7). Dyer further teaches the level of granularity defines the level of precision by which the positional indicia is provided to a requester and the granularity can correspond, in one extreme, to the precision of the positional indicia as provided by the position detection mechanism of the communication system, thereby to permit

Art Unit: 2681

positioning of the mobile station to the greatest extent possible (see paragraph 0040, lines 1-7).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Dyer, to the method of Sheha, to include selecting a granularity value from among a predetermined set of granularity values and responsive to the selected granularity, providing the location information having the selected granularity, in order to present with a high precision, location information provided by the position detection mechanism of the communication system and to thereby permit positioning of the mobile station to the greatest possible extent as taught by Dyer (see paragraph 0040, lines 1-7).

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Alperovich et al., U.S. Patent Number 6,185,426 (hereinafter Alperovich)** and further in view of **Dyer, U.S. Publication Number 2002/0173318 A1 (hereinafter Dyer)**.

Regarding claim 21, Alperovich teaches a communications system having at least one switching system (see col. 1, line 66 through col. 2, line 5, col. 4, lines 58-63 and Fig. 3; where a terminating switch 303 and an originating switch 301 are shown), a method comprising the steps of: placing a telephone call through at least one switching system from a first telephone that is located at a second geographic location (see col. 1, line 66 through col. 2, line 5, col. 4, line 66-67, col. 5, lines 9-13 and Fig. 3; where a first subscriber terminal 300 at a second geographic location is shown), to a second telephone that is located at a first geographic location (see col. 1, line 66 through col. 2,

Art Unit: 2681

line 5, col. 4, line 66 through col. 5, line 13 and Fig. 3; where a second subscriber terminal 304 at a first geographic location is shown); and sending data from a switching system to the second telephone that identifies the second geographic location and which can be displayed on the second telephone (see col. 1, line 66 through col. 2, line 24, col. 4, line 66 through col. 5, line 20 and Fig. 3; where a second subscriber terminal 304 at a first geographic location is shown receiving position data of a first subscriber terminal 300 at a second geographic location for display on display 305).

Alperovich fails to explicitly teach selecting a granularity value from among a predetermined set of granularity values and responsive to the selected granularity, providing the location information having the selected granularity.

Dyer teaches a method by which to control the granularity at which positional indicia associated with a mobile station is permitted to be accessed by a content provider, wherein a profile database created by a user of a mobile station, includes data defining the identity of correspondent nodes and the levels of granularity permitted of the access to positional indicia (see paragraph 0016, lines 1-5 and paragraph 0033, lines 1-6). According to Dyer, when a correspondent node, such as a content provider request access to positional indicia associated with a mobile station, a granularity selector accesses data contained at the profile database and responsive to the level of granularity associated with the identity of the content provider, or other correspondent node, requesting the positional indicia of the mobile station, the granularity selector selects the level of granularity at which the positional indicia is permitted to be accessed and provided to the requesting device (see paragraph 0035, line 1 through paragraph

0037, line 7). Dyer further teaches the level of granularity defines the level of precision by which the positional indicia is provided to a requester and the granularity can correspond, in one extreme, to the precision of the positional indicia as provided by the position detection mechanism of the communication system, thereby to permit positioning of the mobile station to the greatest extent possible (see paragraph 0040, lines 1-7).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Dyer, to the method of Alperovich, to include selecting a granularity value from among a predetermined set of granularity values and responsive to the selected granularity, providing the location information having the selected granularity, in order to present with a high precision, location information provided by the position detection mechanism of the communication system and to thereby permit positioning of the mobile station to the greatest possible extent as taught by Dyer (see paragraph 0040, lines 1-7).

Response to Arguments

7. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2681

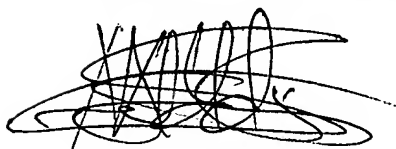
Fitch et al., U.S. Patent Number 6,212,392 discloses method for determining if the location of a wireless communication device is within a specified area.

Meyers, U.S. Patent Number 6,882,853 discloses method and arrangement for arranging, selecting and displaying location data in a cellular telephone system, and a terminal of a cellular network.

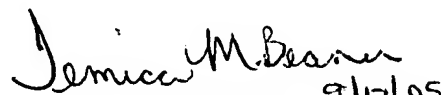
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony S. Addy whose telephone number is 571-272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony S. Addy
September 13, 2005


TEMICA BEAMER 9/17/05
PRIMARY EXAMINER